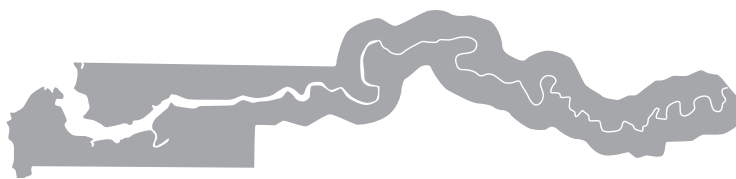


In 2013, The Gambia made a moderate advancement in efforts to eliminate the worst forms of child labor. Several law enforcement agencies were trained on a range of issues related to the worst forms of child labor, and officials identified and provided services to 63 children allegedly being used to work

as housemaids and street vendors. The Government signed a Memorandum of Understanding on trafficking in persons with the Government of Senegal during the year. In addition, the Government increased funding for a drop-in center that provides medical care, food, and counseling to street children and continued to operate a conditional cash transfer program that provides services to more than 1,000 children rescued from forced begging. However, children in The Gambia continue to engage in the worst forms of child labor in domestic service and commercial sexual exploitation. Gaps in the legal framework persist, such as between compulsory education and minimum working ages. In addition, child labor laws are not effectively enforced, and existing social programs are not sufficient to meet the need.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in The Gambia are engaged in the worst forms of child labor in domestic service and commercial sexual exploitation.(1-3) Table 1 provides key indicators on children's work and education in The Gambia.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	36.4 (180,954)
Attending School (%)	5-14 yrs.	65.7
Combining Work and School (%)	7-14 yrs.	29.6
Primary Completion Rate (%)		70.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from MICS3 Survey, 2005-2006.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Activities unknown (1)
Industry	Working in carpentry, masonry, plumbing, and in metal welding workshops (1)
	Domestic service (1)
	Street work, including vending (1, 3, 6)
Services	Scavenging scrap metal at dump sites (3)
	Taxi and bus attendants (1)
	Auto mechanics (1, 3)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (1-3, 7)
	Forced begging by Koranic teachers (6, 8-10)
	Domestic service and street vending as a result of human trafficking (1, 7, 9)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

The commercial sexual exploitation of children is a serious problem in The Gambia.(1, 2) Children are exploited in brothels and motels in tourist areas.(1, 11, 12)

In The Gambia, it is a common practice to send boys to receive education from Koranic teachers called *marabouts*. Some Koranic students, or *almudus*, are forced by their teachers to beg in the streets for money and food.(1, 6, 8, 13) Some reports indicate that cases of begging forced on *almudus* by *marabouts* have decreased as a result of increased

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enforcement and a government cash transfer program.(1, 2, 7) However, evidence suggests that instead of requiring *almudus* to beg, many *marabouts* now force students to sell items on the street. *Almudus* in rural areas also engage in long hours of farm work.(1)

Children, mostly girls, are trafficked within The Gambia for domestic service and commercial sexual exploitation, including in the tourism industry. Children of both sexes are taken to and from neighboring countries where they are exploited in the commercial sexual exploitation, domestic service, and forced street vending.(1, 7) Children are trafficked from other West African nations to The Gambia for commercial sexual exploitation.(7)

II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

The Gambia has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established relevant laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 43 of the Children's Act (2005) (14, 15)
Minimum Age for Hazardous Work	Yes	18	Article 44 of the Children's Act (2005); Article 46 of the Labor Act (2007) (14, 15)
List of Hazardous Occupations Prohibited for Children	Yes		Articles 44-45 of the Children's Act (2005); Article 45 of the Labor Act (2007) (14, 15)
Prohibition of Forced Labor	Yes		Article 20 of the Constitution (1997); Article 41 of the Children's Act (2005) (15, 16)
Prohibition of Child Trafficking	Yes		Articles 39-30 of the Children's Act (2005); Articles 28 and 56 of the Trafficking in Persons Act (2007); Tourism Offenses Act (2003) (15, 17, 18)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 26,27, 29-31, 32, and 34 of the Children's Act (2005); Tourism Offenses Act (2003) (15, 18)
Prohibition of Using Children in Illicit Activities	Yes		Articles 31, 36, and 37 of the Children's Act (2005) (15)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 59 of the Children's Act (2005) (1, 15)
Compulsory Education Age	Yes	12	Constitution (1997) (16, 19)
Free Public Education	Yes		Article 30 of the Constitution (1997); Article 18 of the Children's Act (2005) (15, 16)

* No conscription or standing military.

Gambian law is not completely consistent with international standards regarding child labor. The Government lacks protections for children working without a formal employer-employee relationship, such as children in domestic work.(20) Children are also required to attend school only until the age of 12. This standard makes children ages 12 to

15 particularly vulnerable to the worst forms of child labor as they are not required to be in school but are not legally permitted to work either.(2, 16, 20)

Article 30 of the Constitution mandates free compulsory education; however, families are often required to buy books and uniforms for their children as well as contribute to the school fund, which is used to fund certain activities in the school.(2, 21) The Government consistently waived school fees for girls in order to increase their enrollment.(2, 8)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Trade, Regional Integration, and Employment (MOTRIE)	Investigate tips and allegations of possible child labor violations.(8) Maintain an electronic database that contains information on cases related to child protection, including those involving labor and trafficking violations.(1, 11)
Department of Social Welfare (DSW)	Combat forced child labor and coordinate the handling of trafficking victims, working closely with social welfare officers in police units.(1, 7) Operate a 24-hour hotline to address human trafficking and maintain a database of persons suspected of pedophilia or child trafficking in collaboration with the GTB.(9, 11, 22)
Child Protection Alliance (CPA)	Promote child rights and child protection.(23-25) Raise awareness about child exploitation and build capacity for prevention and protection. Includes government departments, civil society organizations, UN agencies, NGOs, child and youth organizations and bilateral institutions.(24)
Gambia Tourism Board (GTB)	Combat the commercial sexual exploitation of children in tourist areas.(1) Maintain a database of persons suspected of pedophilia or child trafficking in collaboration with the DSW.(11, 22)
Tourism Security Unit (TSU)	Prevent unaccompanied children from entering tourist areas and patrol tourist areas for child labor violations and criminal violations such as commercial sexual exploitation and trafficking. Has a dedicated child protection division.(1, 7, 22)
Gambia Police Force's Child Welfare Unit	Handle all child related matters.(25) Work with the DSW, the CPA, and other agencies and NGOs to assess and identify children engaged in the worst forms of child labor.(3)
Community Child Protection Committees (CCPCs)	Raise awareness and report cases of child, including child labor, to the authorities. Currently 55 CCPCs operating in the country.(3, 7, 26)
Neighborhood Watch Groups	Be on the alert for cases of child exploitation. Five existing groups established by DSW in urban areas near tourist resorts.(7) DSW provides members with allowances and cell phone credit.(7)

Law enforcement agencies in The Gambia took actions to combat child labor, including its worst forms.

Labor Law Enforcement

In 2013, the Department of Labor, under the Ministry of Trade, Industry, Regional Integration and Employment (MOTRIE) had five labor inspectors to enforce all labor laws, including those related to child labor; this number appears to be insufficient for the size of the population. Adequate transportation and fuel posed a challenge for inspectors.(1) Children found during labor inspections are referred to the Department of Social Welfare (DSW). The Department of Labor did not receive any child labor complaints during the year.(1) A source indicates that inspectors received training on child labor issues in 2013.(1) Early in 2014, the Government of The Gambia tripled the budget for the DSW's child protection efforts.(7)

The Government did not make labor inspection data accessible to the public, including the number of inspections performed, violations found, citations issued, and the severity of penalties applied.(1)

Criminal Law Enforcement

In 2013, the Gambia Tourism Board (GTB) trained 50 members of the Tourism Security Unit (TSU) on human trafficking and the commercial sexual exploitation of children.(9) The Child Protection Alliance (CPA) also trained 25 senior police officers on child rights and child protection.(27) Members of the Gambia Armed Forces, TSU, and the Gambia Police Force were also trained to identify child exploitation and learned new methods to combat crimes

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against vulnerable children.(28) In addition, the CPA, in collaboration with the GTB, trained 30 official tour guides and members of the TSU on the Tourism Offences Act as part of efforts to combat the commercial sexual exploitation of children within the tourism industry.(29, 30) The DSW and the Gambia Police Force sensitized over 1,000 police and immigration officers and social workers through trafficking and child protection seminars.(7) The GTB and CPA jointly funded a billboard at Banjul International Airport warning against child sex tourism and its penalties.(7) The Community Child Protection Committee (CCPC) of Sanyang also trained police, immigration, health workers, teachers, and community members on child labor, child trafficking, and child abuse.(31)

The Gambia Police Force and DSW launched a police training manual which includes child protection and child justice issues. The manual is to be integrated into the police-training curriculum as an introduction to child protection and child justice.(32) During the year, police and immigration officers raided unfinished buildings in the capital area and found about 60 Senegalese children living in unsanitary conditions. The group reported to be working as housemaids and street vendors on behalf of employers.(7) Authorities arrested 18 individuals who were released on bail during the investigation. The children stayed at a DSW shelter for prior to their repatriation to Senegal.(7)

Research did not uncover information about the number of investigators responsible for enforcing criminal laws related to the worst forms of child labor. There were no trafficking prosecutions or convictions during the year.(7)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Department of Social Welfare (DSW)	Coordinate government efforts to combat the worst forms of child labor. Headed by a Director and assisted by social welfare officers.(1)
National Agency Against Trafficking in Persons (NAATIP)	Coordinate, administer, and monitor the implementation of the Trafficking in Persons Act and sharing information among law enforcement agencies. Convene monthly meetings of the National TIP Taskforce.(1, 7, 22, 33)

The National Agency Against Trafficking in Persons' (NAATIP) budget for the year was \$33,000.(1) This amount was sufficient to cover salaries and administrative costs, but not enough to cover the costs of training NAATIP and law enforcement officials.(1, 7) In addition, the Agency does not have its own vehicles and must rely on the Ministry of Justice.(1, 25) The Agency is developing a trafficking database and hired a data officer to gather and compile information from all organizations involved in anti-trafficking efforts; however, data was not available during the reporting period. NAATIP officials visited several border posts and trained police, immigration, and customs officials and community leaders on trafficking issues.(7)

NAATIP investigators lack specialized training in the worst forms of child labor.(1)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of The Gambia has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
National Employment Strategy (2010–2014)	Aims to eliminate child labor through awareness raising, promotion of primary education, implementation of ILO Convention 182, and collection and analysis of child labor data.(34)
Code of Conduct of the Gambia Tourism Authority for the Protection of Children (2004)	Seeks to raise awareness within tourism industry and among tourists of commercial sexual exploitation of children.(1, 35) At the beginning of the peak tourism season, new hotel staff were trained on the Code.(1)
National TIP Action Plan (2012–2016)	Aims to combat trafficking. Initially drafted by the Ministry of Justice and recently updated by NAATIP.(7) NAATIP is responsible for implementation.(7)

Table 7. Policies Related to Child Labor (cont)

Policy	Description
Program for Accelerated Growth and Employment (PAGE) (2012–2015)	Calls for improved social protection for children and access to education, as well as to prevent child exploitation including child labor, commercial sexual exploitation, and trafficking.(3, 36)
UN Development Assistance Framework (2012–2016)	Promotes improved access to education and develop child labor policies.(37)
Education Policy (2004–2015)	Has goals to expand school infrastructure, increase school enrollment, and improve the quality of education.(38, 39) Some research has indicated that average number of hours worked per child has decreased since implementation of the policy.(40)
The Gambia and Senegal Trafficking MOU†	Coordinates the two countries' counter trafficking efforts through meetings, information sharing, improved laws, and prevention, protection, and assistance activities. Signed in December 2013.(7, 41)

† Policy was launched during the reporting period.

In 2013, the Government signed an MOU to establish a partnership on social protection, which includes three government ministries and six UN agencies. This partnership will focus on integrating existing social protection mechanisms in the country that target vulnerable groups, such as child laborers.(42) This partnership also aims to develop a National Social Protection Policy and Operational Plan in 2014.(42)

During the year, the Government was in the process of developing a National Children's Policy and a National Plan of Action to Combat Sexual Exploitation of Children to follow the 2004 Plan. However, neither plan has been approved.(3)

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of The Gambia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
Combating Child Sex Tourism Project	CPA project, supported by ECPAT Netherlands, to raise awareness about child sex tourism and Tourism Offences Act among TSU, hoteliers, travel agencies, and other tourism stakeholders and provide them with Code of Conduct of the Gambia Tourism Authority for the Protection of Children.(30)
Street Children Center	DSW (with support from international organizations, foreign NGOs, and local businesses), drop-in center in Talinding Kunjang that provides medical care, food, and counseling to street children, including trafficking victims and <i>almudus</i> .(1, 7, 22, 26) Center tries to prevent the children from returning to begging.(8, 43) Government allocated \$11,500 for the functioning of the center and another \$6,666 for its renovation during the reporting period.(7, 9)
Conditional Cash Transfers to the <i>Majaalis</i> ‡	Ministry of Education (with support from NGOs) conditional cash transfer program that gives <i>marabouts</i> \$2.56 per month and food rations for each student on condition that they not force students to beg.(7) Ministry of Education provides teachers for English, mathematics, and science. Government reports that more than a thousand children are benefiting from program and plans to expand into more rural areas.(1, 9, 44)
Shelter for Trafficking Victims	DSW (with support from international organizations, foreign NGOs, and local businesses) 24-hour shelter in Bakoteh for victims of trafficking, including children. Accommodates 48 people and provides guests with food, medical care, and counseling.(7) Over 1,000 children have received services since it opened in 2006.(7)
One-Stop Centert	DSW (with the support of NGO partners) center, opened in 2013, that provides medical care, counseling, and legal services to trafficking victims and victims of gender-based violence.(7)
Family Assistance Hotline‡	DSW 24-hour hotline through which trafficking victims may reach social welfare officers.(7)
Protect Project	USDOS-funded, ChildFund project to develop national child protection system for prevention of and response to child trafficking in The Gambia. Program has trained 120 government officials on child trafficking since its inception.(45)
Eliminating the Worst Forms of Child Labor in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS I & II	USDOL-funded regional projects to assist ECOWAS to strengthen its role in combating the worst forms of child labor in the West Africa sub-region.(46, 47)

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Table 8. Social Programs to Address Child Labor (cont)

Program	Description
Children on the Move	DSW participates in 3-year, 12-country regional project, funded by a Swiss NGO, which provides services to child trafficking victims, including repatriation.(1, 7)

† Program was launched during the reporting period.

‡ Program is funded by the Government of The Gambia.

Although The Gambia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem and reach all children vulnerable to trafficking, commercial sexual exploitation, and work on the street. Furthermore, existing programs do not target children working in agriculture and domestic service.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified in that would advance the elimination of child labor, including its worst forms, in The Gambia (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Laws	Ensure that relevant child labor laws and regulations apply equally to children working in the formal and informal sectors.	2012 – 2013
	Adopt legislation that increases the age of compulsory education to 16 so that it is commensurate with the minimum age for work.	2010 – 2013
Enforcement	Provide sufficient staffing and financial resources for effective inspection and enforcement efforts.	2013
	Establish a mechanism for public reporting on the number of child labor complaints, investigations, and prosecutions.	2012 – 2013
Coordination	Ensure the NAATIP is provided with adequate resources.	2012 – 2013
	Provide necessary specialized training for appropriate agency officials in the NAATIP.	2012 – 2013
Government Policies	Continue monitoring and evaluating the impact of the National Education Policy on child labor, including the average number of hours worked per child.	2010 – 2013
	Approve the National Children's Policy and the National Plan of Action to Combat Sexual Exploitation of Children.	2012 – 2013
Social Programs	Conduct research to determine the activities carried out by children working in agriculture to inform policies and programs.	2013
	Expand existing programs to prevent child trafficking, commercial sexual exploitation, and work on the street.	2010 – 2013
	Develop programs to assist children in agriculture and domestic service.	2009 – 2013
	Increase access to schooling by providing universal free, compulsory education as guaranteed by the Constitution.	2010 – 2013

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